

for the
District of Arizona

Case No.

17-8410 MJ

Printed name and title

ATTACHMENT A

Count 1

On or about October 8, 2017, Gustavo Ramirez-Sanchez, an alien, was found in the United States of America at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Calexico, California on or about October 4, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), a felony.

Count 2

On or about October 8, 2017, at or near Gila Bend, in the District of Arizona, Gustavo Ramirez-Sanchez, an alien, did elude the examination or inspection by immigration officers in violation of Title 8, United States Code, Section 1325(a)(2), a class B misdemeanor.

STATEMENT OF PROBABLE CAUSE

I, Christopher M. Baugh, being duly sworn, hereby depose and state as follows:

1. Your affiant is a United States Border Patrol agent. I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On October 8, 2017, Border Patrol Agents Alfredo Najera and Jesus Mercado encountered an individual near Gila Bend, in the District of Arizona. The agents identified themselves as Border Patrol agents and performed an immigration inspection on the individual. The individual, later identified as Gustavo Ramirez-Sanchez, admitted to being a citizen and national of a country other than the United States, unlawfully present in the United States. Ramirez-Sanchez was transported to the Ajo Border Patrol Station for further processing. Ramirez-Sanchez was held in administrative custody until his identity could be confirmed along with his immigration and criminal history.
3. Immigration history checks revealed Gustavo Ramirez-Sanchez to be a citizen of Mexico and a previously deported alien. Ramirez-Sanchez was removed from the United States to Mexico through Calexico, California, on or about October 4, 2016, pursuant to a removal order issued by an immigration official. There is no record of

Gustavo Ramirez-Sanchez in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal.

4. Furthermore, there is no record of Gustavo Ramirez-Sanchez in any Department of Homeland Security database to suggest that after his last removal from the United States he entered the United States at an official Port of Entry. Had Ramirez-Sanchez presented himself at a Port of Entry, Department of Homeland Security records likely would reveal that information. Accordingly, your affiant believes that Ramirez-Sanchez entered the United States at a location not designated as an official Port of Entry, and thereby eluded examination and inspection by Immigration Officers of the United States. Ramirez-Sanchez's immigration history was matched to him by electronic fingerprint comparison.
5. On October 9, 2017, Gustavo Ramirez-Sanchez was advised of his constitutional rights. Ramirez-Sanchez freely and willingly acknowledged his rights and agreed to answer questions or provide a statement under oath. Ramirez-Sanchez stated that his true and correct name is Gustavo Ramirez-Sanchez and that he a citizen of Mexico. Ramirez-Sanchez stated that he entered the United States illegally by walking through the desert near Sonoyta, Mexico.
6. For these reasons, this affiant submits that there is probable cause to believe that on or

about October 8, 2017, Gustavo Ramirez-Sanchez, an alien, was found in the United States of America at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Calexico, California, on or about October 4, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), a felony, and on or about October 8, 2017, at or near Gila Bend, in the District of Arizona, Gustavo Ramirez-Sanchez, an alien, did elude the examination or inspection by immigration officers in violation of Title 8, United States Code, Section 1325(a)(2), a class B misdemeanor.



Christopher M. Baugh
United States Border Patrol Agent

Sworn to and subscribed before me
this 10th day of October, 2017.



John Z. Boyle
United States Magistrate Judge